

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON,  
  
Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES;  
ALEX M. AZAR, in his official capacity as  
the Secretary of the United States  
Department of Health and Human Services,  
  
Defendants.

NO. 2:20-cv-01105-JLR

JOINT REQUEST FOR  
REMOTE ORAL ARGUMENT  
SETTING

NOTED ON MOTION CALENDAR:  
AUGUST 14, 2020

Plaintiff, State of Washington, and Defendants, United States Department of Health and Human Services (HHS) and Alex M. Azar, respectfully submit this Joint Request for Oral Argument Setting in this case, showing the Court as follows:

1. Plaintiff filed this case on July 16, 2020, alleging that a Final Rule implementing Section 1557 of the Affordable Care Act published by Defendants on June 19, 2020 violates the Administrative Procedure Act, 5 U.S.C. § 701 et seq. and the Fifth and Fourteenth Amendments to the United States Constitution. Compl., ECF No. 1.

2. Because the Final Rule is set to take effect on August 18, 2020, *id.* at ¶ 53, Plaintiff also filed a Motion for Preliminary Injunction to enjoin and stay the Final Rule and requesting oral argument, Pl's. Mot. for Prelim. Inj., ECF No. 4.

3. As a result of the COVID-19 pandemic, the Court is not currently holding hearings in person, and is instead holding most hearings by video or telephonic conference.

4. Accordingly, the parties jointly request that the Court schedule any hearing on Plaintiff's Motion for Preliminary Injunction to be conducted by remote means, preferably on August 14, 2020 or August 17, 2020.

DATED this 3rd day of August, 2020.

Respectfully Submitted,

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Attorney General

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was electronically filed with the United States District Court using the CM/ECF system. I certify that the service of the foregoing document will be accomplished via Certified Mail to the following:

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DATED this 3rd day of August, 2020.

s/ Anna Alfonso  
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